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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

UNITED STATES OF AMERICA for the use of NORTH STAR
TERMINAL & STEVEDORE COMPANY, d/b/a NORTHERN
STEVEDORING & HANDLING, and NORTH STAR TERMINAL &
STEVEDORE COMPANY, d/b/a NORTHERN STEVEDORING &
HANDLING, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of SHORESIDE
PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE, and
SHORESIDE PETROLEUM, INC., d/b/a MARATHON FUEL
SERVICE, on its own behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER ROCK
PRODUCTS, INC.; UNITED STATES FIDELITY AND GUARANTY
COMPANY; and ROBERT A. LAPORE,

Defendants.

No. 3:98-cv-9 (TMB)

**RESPONSE TO DOCKET NO. 666 RE: UNOPPOSED MOTION TO VACATE
JANUARY 5 AND JANUARY 12 PRETRIAL DEADLINES AND REESTABLISH SAME**

The Court states at Docket 666 as follows:

In anticipation of the Court postponing pretrial deadlines and trial, each counsel to file a Notice no later than 9/29/06, regarding their precise dates of availability for trial in March and April, 2007. Counsel shall also included in the notice, blocks of time when they are unavailable. Notice due by 9/29/2006.

However, the undersigned's Motion at Docket No. 662 did not request the Court to vacate the Trial date, only to reestablish the Pretrial Deadlines of January 5 and January 12, 2007 consistent with this Court's Order at Docket No. 660. The undersigned obtained approval from all counsel to alter those pretrial deadlines consistent with the content of the Motion at Docket No. 662.

As a result, counsel respectfully requests the Court to vacate its Order at Docket No. 666, and issue its Order consistent with Docket No. 660, as a result of the undersigned's Motion at Docket No. 662.

Dated this 20th day of September, 2006.

/s Herbert A. Viergutz

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CERTIFICATE OF SERVICE

THEREBY CERTIFY that a copy of this document was served by electronic notification on this 20th day of September, 2006, to:

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